

# NEWINGTON TOWN PLAN AND ZONING COMMISSION

## Regular Meeting and Public Hearing

February 13, 2013

Chairman David Pruett called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

### **I. ROLL CALL AND SEATING OF ALTERNATES**

#### Commissioners Present

Commissioner Carol Anest  
Vice-Chairman Michele Camerota  
Commissioner Michael Camillo  
Commissioner Cathleen Hall  
Commissioner David Lenares  
Chairman David Pruett  
Commissioner Stanley Sobieski  
Commissioner Frank Aieta-A  
Commissioner Audra Ekstrom-A  
Commissioner Kenneth Leggo-A

#### Commissioners Absent

#### Staff Present

Chris Greenlaw, Town Engineer

### **II. PUBLIC HEARING**

- A. Petition 02-13 Special Exception (Section 3.15.6: Health Club) at 3153 Berlin Turnpike, McBride Properties, owner; Oana Nita, 55 Highgate Road Apt. B5 Newington, CT applicant/contact person.**

Chairman Pruett: Is the applicant here? Please step forward and go over your petition briefly?

Oana Nita: As I did the last time?

Chairman Pruett: Yes, same thing you did the last time.

Oana Nita: Hi, my name is Oana Nita, I'm from Newington, and I'm planning on opening a women's only fitness studio with only with classes, we don't work out with machines. All kinds of classes, we will have more than 30 classes a week, from strength classes to mind and body, such as yoga and pilates, such as zumba. We will work only with qualified personal trainers and group instructors. We can provide personalized and progressive fitness programming especially for women for all kinds of fitness levels. That's about it.

Chairman Pruett: Our Town Planner is on vacation, I'm going to read his staff comments.

Description of Petition 02-13: This is petition is to operate a fitness center at the McBride Plaza at 3153 Berlin Turnpike. It will occupy a vacant space in the south wing of the building. This is allowed by Special Exception in the PD Zone.

Staff Comments: Parking, Section 3.15.6 of the zoning regulations put health clubs in the category of places of recreation. The parking requirements for theaters, places of assembly, amusement, recreation, education are one space for every two seats, or one space for each three persons based on the Fire Marshal's rate of capacity, whichever is greater. The TPZ can modify this standard for recreational uses. This is an existing commercial building with four other existing tenants. I have visited the site and do not see any apparent shortage of parking. I therefore recommend that the TPZ find the amount of parking currently available for this unit to be sufficient for this activity. No changes are proposed for the building or for the site.

Any concerns from our fellow Commissioners?

Commissioner Aieta: This is a continuation from, we heard this last meeting because it was a continuation because it wasn't properly notified by the town, so I suggest that we close it and move it to Old Business tonight.

Chairman Pruet: Any other questions? Thank you. This is a public hearing. Anyone from the public wishing to speak in favor of this petition? Anyone from the public wishing to speak against this petition? We heard from Commissioner Aieta, closing it, moving it forward, any other comments to that nature.

Commissioner Lenares: I would be in favor of that also.

Chairman Pruet: Looks like a consensus, so we will move this to Old Business and vote on it tonight.

**B. PETITION 03-13: Special Exception (Section 3.15.6 Health Club) at 193 Pascone Place. Frederick and Barbara Alciati, owner, Bionic Athletics Inc., applicant, Michael T. Jordan, 40 Hillside Road, Kensington, CT, contact person.**

Chairman Pruet: Is the petitioner present? Come right up and have a seat and just state your name and address for the record please?

Michael Jordan, 40 Hillside Road, Kensington, CT: My name is Michael Jordan, I've heard all kinds of jokes, we're petitioning to have this zoned as a health club. This will be a fitness facility, a cross training facility under the banner of Cross-Fit which is the national organization which we are affiliated to run and represent. We'll have about five or six classes that will be scheduled on a daily basis, including one class on Saturday, so about twenty-six, twenty-seven, somewhere around there, per week. No heavy machinery, we really operate with piometrics, cardio, Olympic weight lifting. Our coaching staff either has certification to be personal trainers, everyone is licensed under the Cross-Fit Banner and has their training certificates and we're very cognizant of that. All of our new members will go through a training, beginning course before they actually get the chance to participate in classes, outside of that, unless you have questions, that's pretty much it.

Chairman Pruet: What would your hours of operation be?

Michael Jordan: We'll have set class schedules. We'll have a six a.m., a 7:30, a 9:00 a.m. class, there is going to be dead time in the middle, we've got a 5:15, 6:30, scheduled and our

beginning classes will be Monday, Wednesday and Thursday at 7:30 pm., on an ongoing basis.

Chairman Pruet: Weekend schedule?

Michael Jordan: Weekend, it's just going to be a 9:30 set class and then a free class for people who are interested in checking us out at 10:30 on an ongoing basis every Saturday.

Chairman Pruet: Okay, very good. I'm going to read these staff comments, on this petition, Petition 03-13.

The applicant wishes to operate a cross-fit training facility in a vacant building at 193 Pascone Place. This is allowed by Special Exception in the PD Zone. See attached letter from the applicant, it's in your folder, Commissioners.

Staff Comments: Parking, Section 3.15.6 of the Zoning Regulation puts health clubs in the category of places of recreation. The parking requirements for theaters, places of assembly, amusement, recreation, education are one space for every two seats, or one space for each three person space on the Fire Marshal's rated capacity, whichever is greater. The TPZ can modify this standard for recreational uses. This will be the only tenant in an existing commercial building. I recommend that the TPZ find the amount of parking on site to be sufficient of this activity and there are no changes to the building or the site.

Commissioner comments?

Commissioner Aieta: If this was property notified with the signage and everything, do you have the sign up?

Michael Jordan: Yes, it's in the front window and it has been.

Commissioner Aieta: If it's been property notified, like this past application, the one that we just heard, I move, I would recommend that we close it and act on it tonight.

Chairman Pruet: Any other comments from the Commissioners?

Commissioner Anest: I concur.

Chairman Pruet: This is a public hearing sir, if you can just take a seat, we'll give the public a chance to speak. Anybody from the public wishing to speak in favor of this petition?

Anybody from the public wishing to speak against this petition?

Seeing no further public comments, it's the consensus of the Commission to close this and move it to Old Business. Okay.

**C. PETITION 38-12: Special Exception (Section 3.15.8: Motor Vehicle Service Use) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner; Bismarck Real Estate Partners Inc., applicant; Jason Mikrut P.E., 54 Tuttle Place, Middletown, CT, contact person.**

John Knuff: Good evening Mr. Chairman, I'm little unaccustomed to the new set-up but, very nice new table and obviously a terrific new ability to use power-point, so we appreciate that. My name is John Knuff, I'm an attorney with an office at 147 North Broad St. in Milford, CT and I'm here on behalf of Bismarck Real Estate Partners, Inc., which is the, which proposed a Firestone Complete Auto Care Center on the property located at 2903 Berlin Turnpike. The property is owned by Wex-Tuck Realty, LLC and is in a planned development zone. There are three matters before you, I know only a Special Exception was called but there is a Special Exception application pursuant to the 3.19.1 and 3.15.8, there is a site plan

application that comes up a little bit later on the agenda, and also a request for approval of location, and I think we could probably hear all three of those matters simultaneously. With me tonight is Jason Mikrut who is a professional engineer with VHB and Robert Vann who is one of my clients from Bismarck. We're going to be submitting a few things for the record. We have a photo of the sign that was posted on January 11<sup>th</sup> that I'll hand to staff or your secretary, I have a memo regarding compliance to the standards for auto related uses and Special Exception criteria that I will be handing out, and as you see, we are going to be using a Power Point and I will submit a hard copy of that for the record, but you also have copies of that for all the Commission members as well, and I'll hand those out in just a moment. Just a quick background before Jason comes up, the site is located on the western, or the southbound side of the Berlin Turnpike, it's adjacent to the recently approved Bonefish Grill and also adjacent the former doughnut store which is now a walk-in care clinic. The property is just over one acre, and it's currently undeveloped. There is a small area of wetlands off the site and we received Conservation Commission approval back in December. The proposed facility is approximately 8400 square feet, there will be ten service bays, plus sales and inventory areas. With one exception that you have the authority to revise, the plan complies with all of your relevant criteria including all of your auto related use standards, in particular the architecture. I think you will see that it is a very attractive building, so Jason is going to walk you through all the details, but I just want to call to your attention the one matter that you are permitted to waive pursuant to your new regulations. Under 6.11.7, it allows the Commission upon a two-thirds vote to allow overhead bay doors facing the public street where the natural topographic or man made utilities of the site clearly indicate that the requirement is inappropriate. What you will see, and we have developed a couple of different plans, in particular, Craig had a very good idea which is to develop a cross section so that the Commission can see the topographic change between the Berlin Turnpike and the grade of the site, as well as the proposed berm and landscaping that we will be proposing. I think you will see that the combination of those features notates in favor of granting us this waiver. So with that, I'm going to let Jason take the stage, I think he is going to present from up there, and I'll hand out the materials that I just referenced.

Jason Mikrut: Thank you John, Good evening everyone, my name is Jason Mikrut, I'm a senior project engineer for Vanasse, Hangen Brustlin, Inc. As John mentioned, I'm going to walk you through the details of the plan. The proposed development is 8400 square foot for Firestone, with ten service bays. The service bays are located in the front of the store, five to the front, and five to the back. There are two driveways for access to the site, there's one, right in only, driveway off of the Berlin Turnpike, and there is no egress onto the Berlin Turnpike from the site, and there is also a full access driveway on Main Street. The access to the Firestone site from Main Street, you must access through the back of the site, and then come around to the front. You cannot access onto the Berlin Turnpike from Main Street. Off of the Berlin Turnpike, you can enter either at the front or at the rear of the site. We are proposing 47 total parking spaces, that includes 37 spaces located all around the building, on the perimeter and then also there are ten parking spaces inside the service bays. In an automotive use, when cars come in to the site to be serviced, they generally are going to be inside the building, so we thought it was appropriate to count the ten spaces in the building for the parking, and our demand, and the traffic analysis shows that there is more than enough parking on the site with what we currently have. Officially, the loading area is located at the rear of the site. Firestone gets about one full size tractor trailer delivery of tires a week, so that the truck will come in off of Main Street, pull into the Bonefish site, and back into the loading area, and then pull back out onto Main Street. There will be no truck access off of the Berlin Turnpike. Additionally there is a masonry enclosure located at the north end of the site. The enclosure matches all of the building materials and matches the building and any refuse, used tires will go in this area. Snow storage has been designed to be placed around the site in the various landscaped areas

throughout, you can see there. Additionally as John mentioned the site has been designed to be zoning compliant with respect to dimensional requirements, set backs, the open space, and the one issue that we are looking to the Commission for is the bay doors. To address the comment about the bay doors, what we are looking to do is providing a good amount of screening in that area. So we tried to come up with a plan where we had a significant amount of landscaping, and also, we also incorporated a berm and fence in this area. What this shows, and this is a rendering and just keep in mind that this rendering is designed more to show the architecture of the building, so this is not really what you are going to see, from the road looking towards the building. This is designed to show the architecture of the building, the bays, and the doors and the colors of the building on the outside, but what you can see on this rendering is the fence in the background, you can see the landscaping, and you can slightly see this berm here. It shows in a little bit more detail, this is the cross section that John had mentioned before that Craig had suggested that we develop. The cross section shows a clear view of what you would see standing out on the Berlin Turnpike and looking in to the site. So this line shows a car, here and the line is, if you are in the car, looking into the site, what you are going to see. As you are looking into the site, we have the landscaped berms here which is about four feet high, and then we have about four feet high shrubs that we are showing on top of the berm. So you can see with the line of sight we're really at the top of the bay doors and most of that area is very well screened, so you can see even a car is really below the berm that is in that area. So we feel that the plan that we are proposing now, and in working with staff to kind of enhance this area, and add some landscaping, we feel that this is going to do a great job of screening those bay doors. Additionally, there is a significant amount of landscaping that we're proposing throughout the site, there are trees that are going to be located all through out, river birch, pin oak, green pillar oak, white spruce and arborvitae, and then a significant amount of shrubs that will be located through out the site as well.

We developed a comprehensive storm water management plan for this site, which is based on the Town of Newington's storm water design manual. The run off from the site and the parking areas will be collected in the catch basins that are located throughout the site. The catch basins will then go to a water quality unit, for treatment prior to discharge into the underground infiltration system. The infiltration system will outlet through this three foot wide swale to the wetlands to the west of the property. The underground infiltration system has been designed to attenuate peak flow and also rising ground water recharge. We are in compliance with the drainage standard and providing pre and post development, or matching pre and post development discharge rates.

The utilities on the site, the utilities are coming off of Main Street for sewer, water, and gas, running through the Bonfish site, into the Firestone. Electric, telephone and cable will be coming off of the pole on the Berlin Turnpike. The site lighting has been designed with full cut off light fixtures to eliminate any light fusion off of the property, and one thing, we had in our plans put seventeen foot high light fixtures to the bottom of the fixture. In working with staff we understand that it has to be to the top of the fixture, seventeen feet high, so we are going to be lowering that which will not increase any of the lights, the light loads that are shown on the plans, they will actually slightly reduce it.

Traffic, as part of this application the Town has asked that we analyze the proposed development which is the restaurant, the medical office and the Bonfish site, versus what was previously approved at this site, which was the Krispy Kreme and the specialty retail. The results of the traffic study indicate that there will be no increase in the peak traffic rates during the weekday morning peak, and the Saturday mid-day peak. It does indicate that there will be a slight increase in traffic during the weekday evening peak. It's important to note that even though that it indicates that there is a small increase the peak times of the restaurant and the Firestone and the medical office actually off set. The restaurant is much later, than the Firestone and the medical office, so the numbers that we are showing there are actually very conservative. The Firestone only generated about twenty-nine trips, during

the peak hour, which is about one vehicle entering or existing the site every two minutes, so with this minimal amount of traffic volume, you know, this is a small amount contributing to the overall development, and we feel will have a minimal impact on the development. A couple of questions were raised by staff as we have been working through this project with them. One was some concern about the on-site intersection that we have here. The rear Firestone driveway intersection with the Bonefish driveway coming off of the Berlin Turnpike and there is a little bit of an open area here, staff has raised some concerns about that. We've been working with them, trying to address it. The one thing that we discussed with them in a meeting was adding some striping to this area, kind of direct motorists a little bit better through the area. Another thing that we have already done here in working with staff is, as part of the BoneFish application the driveway off the Berlin Turnpike is made to be narrower, so it's a one way drive, it's reduced down to thirteen feet wide to try to eliminate the possibility of anybody making a turn onto the Berlin Turnpike. Also, there is this little bull nose, you can see of the curbing there to further try to deter somebody from making a turn. So with the slow design speeds that we are expecting out here, since this is an on-site intersection, and with the modifications that have been made, we feel that the intersection is going to function as intended, and just to clarify, the reason that this area is so wide, is to facilitate the use of delivery trucks and also emergency vehicles. Emergency vehicles have to be able to circulate the site properly, and a delivery truck has to be able to pull forward and then back into a loading area, so that is kind of what is driving that area to be as large as it is, but we feel with all of the precautions that we have taken, that that area will function as intended.

The other issue that we had been asked to look at was the potential right turn lane into the site off of Main Street. We've done an analysis of that right turn lane, and looked at the projected volumes coming into the site, compared them to the Connecticut DOT highway design manual and the requirements for a right turn lane, and what the analysis indicates is that a right turn lane is not warranted in that area. So we are not proposing a right turn lane at this time.

We can move on quickly to the architecture here. As John mentioned the building that is being proposed here is actually a very beautiful building. It features two tone brick, and the colors will match the chips that are shown on the left side of the plan there. There is a gable hip roof with asphalt shingles, you can see it also matches what is shown on the chip on the other side there as well. There is glazing at the front of the store, at the sales area and also at the bay doors and then also at the back, along with two dormers on the front and two dormers on the back of the building. The additional elements that are shown on the building, the downspouts and also the louvers will be painted to match the colors of the building as well.

The signs for the building has been designed to be zoning compliant. There are four wall mounted signs, located on the east, west and south elevations of the building, and there is also a pylon sign located on the Berlin Turnpike which is eighteen feet high and sixty square feet. As I mentioned the signs are designed to be zoning compliant. With that, I'll turn it back over the John to address any.....

Attorney Knuff: I want to have you address one other comment, because I assume the Chair will read Craig's comments, if it's consistent with the other two applications, and there was Craig's comment that I think was probably a mistaken carry over from his first comment regarding retaining walls. Maybe, because Craig's primary concern, if you read his memo is whether the design of the retaining wall was far enough along so that we can demonstrate that the wall can be built, within the area that is depicted on the plan, so I would just ask Jason to address that briefly.

Jason Mikrut: In initial submission, we submitted retaining walls, and Craig had requested that we submit a more detailed plan, and we did that in the revised set that we had submitted

to the town. We had a meeting with Craig and Chris and reviewed those drawings, and it's my understanding that what we provided is sufficient at this time, showing the design of the wall and having the plan with us that we can submit for the record if that is necessary. I don't know if that is something, Chris, if you have any knowledge of where Craig stands on that, at this point.

Chris Greenlaw: Mr. Chairman, the important point to note is that the wall that is shown on the plan now currently can be built within the property such that if the contractor were to propose at the time of building construction that there was a cheaper wall that could be put up, that required additional back fill, staging, lateral earth support loading, that would require easements, that would put the town in a tough position, because we have approved the plan to be built within a certain neat line, so I believe what Craig and I are looking for is that the wall that you are proposing, at this time, or a certain likeness can be built within the confines of the property line and not require temporary construction easements from your neighbor, the DOT.

Jason Mikrut: Correct, and after revising the plan, we changed to a type of wall, it's a bigger block and will not require any easements from the DOT, the adjacent property owner.

Attorney Knuff: Thank you Jason. As I know Mr. Chairman, I handed out a memo entitled Compliance with Standards for Auto Related Use and Special Exception criteria. I know that you spent a lot of time drafting your new auto related use regulations. As I noted, we complied with all of those, I won't take you through every regulation in the provision, how we complied, with the exception of the garage doors facing the street. I also have the memo of how we complied with all of your Special Exception criteria. Again, I don't want to belabor that, I think it's clear that we complied with your Auto Related Use regulations as well as your Special Exception Criteria. I know that the public is here and will want to say a few words as well, so we'd be happy to answer any questions, and if not, then we'd be happy to address any comments made by the public.

Chairman Pruet: Okay. Before I read the staff comments from our Town Planner, I have a few questions. I wonder if you could further explain to me why you need to not comply with the overhead door exception. Why is that an issue, topographically or with your construction?

Attorney Knuff: The fundamental idea of the Firestone is to, their stores have ten bay doors, five in the front, and five in the back. The idea is to get the cars into the facility rather than having them sit outside in the parking lots. It's been determined, for them, that this is the most efficient way for them to get their customers in and out, so for instance, there won't be ten mechanics working on cars at all times, so for instance, someone brings their car in, it's sitting in one of the bays, the mechanic begins work, needs a part, he can move onto the next one, and the car is still sitting inside. So that drives the need for the ten bay doors. In this case, we understand the Commission's concern about having bay doors face the public way, but we think we've adequately screened that with the berm and the landscaping such that the doors would not be able to be seen from the Berlin Turnpike. Of course, we all know what the Berlin Turnpike is like. People are traveling at high rates of speed, certainly we want to be an attractive addition to the town, but that being said, at the rates of speed that people are traveling and as you travel south along the Berlin Turnpike, I think at most you'll see landscaping and berm and the roof of the building, but not the bay doors themselves.

Chairman Pruet: I understand the DOT, your explanation of why the entrance and exit on Main Street can't have a break out lane, but I can't see, I don't see a reason why that can't be

a further cut over to allow some traffic within their regulations, I'd like to see that addressed also.

Chris Greenlaw: I have a question that I'd like to ask Mr. Mikrut. The study that you provided as far as the traffic, you're talking about the turning from Main Street into the Bonefish, and I believe, when you followed the guidelines from DOT and IT as well, you were looking for a warrant for a full width lane into the site, correct?

Attorney Knuff: That's correct.

Chris Greenlaw: Perhaps you could explain that, if that was the requirement and the methodology that you utilized, utilizing the DOT Reference Manual, but the point is, you were looking for a warrant for a full lane, correct.

Attorney Knuff: That's correct.

Chris Greenlaw: The Commissioner is now asking about a broken back sliver lane, for the record.

Jason Mikrut: That is correct Chris, the warrant is for a full turn lane, a sliver widening is something that we can go back and look at it if it's something that the Commission would like us to consider.

Chairman Pruett: At this time I'm going to read the staff comments from our Town Planner who is on vacation this week, and I'll read them as they pertain to this petition.  
Description of Petition 38-12: The applicants wish to construct and operate a 8,400 square foot motor vehicle service use facility at 2903 Berlin Turnpike, in the PD Zone. This activity is allowed by Special Exception in the PD Zone. For the purpose of this section motor vehicle service uses include but are not limited to those, a limited repair as defined in Section 14-51 A. (4) in the Connecticut General Statutes. The lubricating of motor vehicles, adding or changing oil, or other motor vehicle fluids, changing of tires and tubes, including the balancing of wheels, or installing batteries or light bulbs, windshield wiper blades, or drive belts as described in Section 14 -51 B of the Connecticut General Statutes, and the sale of gasoline or any other product under this provision of the Connecticut General Statutes. The parcel has frontage on the Berlin Turnpike, but is located behind a non-access highway line. The applicants therefore propose to access the property via an access easement across from the Bonefish Grill parking lot to the south.

Staff Comments: 1. I have no concerns with the proposal activity itself, but I do have some concerns with the site plan. Site plan approval is not subject to the public hearing so the appropriate time to discuss these concerns is during the public hearing. The applicants submitted a revised site plan that addresses all of my January 15<sup>th</sup> 2013 except for three. The overhead service doors, the retaining walls, and the parking lot design. Overhead service doors, Section 6.11.7 states that overhead service doors are not permitted on the public street side of a motor vehicle use. This may be waived by a two-thirds vote of the TPZ when the natural topographical or man made utilities of the site could indicate that the requirement is inappropriate. The applicants feel that the proposed earthen berm and existing trees will block the view of the service doors. I told them to submit a profile drawing showing what a motorist would see as he drives past the site. They said they would present such a drawing at the public hearing.

The site plan shows retaining walls on the southeast and northwest sides of the property which at the highest point will be approximately eight feet high. There is a note which says, modular block retaining wall to be designed by others. As of this writing, no design has been submitted. I informed that applicants that this is not acceptable for two reasons. One,



Section 7.4.8 (a) states that design calculations by a registered professional engineer must be provided for approval of such walls, and two, the professional engineer who designs these walls might not be able to stay within the limits of the approved site plan, which would force the applicants to come back to the TPZ for modification which would be a waste of everybody's time and money. I highly recommend that the site plan be complete before the TPZ action.

**Parking Lot Design:** The building will be served by driveways that connect with the Bonefish Grill parking lot at approximately the same place as the Berlin Turnpike driveway which is also where an additional row of parking spaces begin. The compliments of all these various elements have the potential to create confusion of the various customers driving around the parking lot. The applicants have agreed to paint a dashed line on the pavement to clearly delineate the implied lanes. They should have a revised plan showing this at the public hearing.

The only written comments received from the public is a letter from Attorney Timothy H. Hollister on behalf of the appellants of the Modern Tire Recapping Company, et al, Newington Town Plan and Zoning Case. This letter advises the TPZ that one, if the application is approved and the regulation is then invalidated, the approval will be invalid. Two, if the application is approved and the applicants attempt to proceed with construction, his clients will be forced to consider a temporary injunction, and three, his clients reserve the right to bring the application proceedings to the court's attention as evidence of issues raised in the appeal.

Any comment right now, would you like to, on anything?

**Chris Greenlaw:** A couple of comments on that, I just want to point out to the Commission and again, Mr. Mikrut can point this out, one rendering here is, in the sense of the word a rendering, and you might want to explain exactly what this picture is for, and subsequently, staff, what we have required for your benefit, and this is with regard to regulation 6.11.27, as far as the building facing the road, what we asked for specifically was an accurate drawing, this profile, and I'm asking Mr. Mikrut, the elevations that we see from the road, on the Berlin Turnpike with the car, with the line of sight, this berm that is shown, is in concert with the topography that is on the site plan. The elevation of the floor of the garage is such that it's depicted properly the top of the door, so this is the accurate drawing that we should utilize as reference. Something that staff might want obviously, is that this is just one view as you are passing by at this one particular point. The top of the drawing indicates where that view is taken from, from the turnpike, through the building. Now obviously when we are driving by at a certain amount of speed, what I would require, what I would recommend to you is that we get a couple other iterations of this drawing, such that, if you drive by, what other perspective would you have, is it continually blocked. I think that is a reasonable request for the Commission to consider.

**Attorney Knuff:** And we will do that, I just want to point out before we continue that this cross section was selected to be the most conservative because it phases the doors at a direct ninety degree angle, but we would be happy to provide some others.

**Commissioner Aieta:** Just to expand on what the Chairman asked, 6.11.7, overhead doors. The requirements are that there be a natural topographical or man made utility that, you have not addressed that. You've given us a definition of what Firestone does as a cookie cutter for all of your buildings, but that does not address, is there any type of topographical or manmade problems on the site that would require that you would have a reason not to comply with the regulations about overhead doors not facing the street?

**Attorney Knuff:** I think we have a slightly different reading of the regulation. I think you are reading it that akin to a variance, that there has to be some topographical, unusual feature

that would lead to the necessity that the bay doors face the street, I think what the regulations says is that if a combination or on it's own, the topography were man made features and in this case the berm, can screen those doors to the Commission's satisfaction, that that also is the basis on which the Commission can grant a waiver.

Commissioner Aieta: I was here when we wrote these regulations, and I don't think we took that into consideration, that you could disguise, or build an artificial berm or some kind of screening, you can't screen it one hundred percent from the road. I think the Commission was looking for not to have the doors, and there is no topographical or manmade problem on that site that would require us to grant you a waiver. You haven't shown that, you haven't demonstrated to us that that need, you are reading something into our regulations that isn't there.

Attorney Knuff: Well, I would respectfully disagree, and because....

Commissioner Aieta: We wrote these regulations.

Attorney Knuff: I understand that, and it is for the Commission to determine its intent but a manmade utility would never be pre-existing. I think what you are saying is that each of these features have to be pre-existing in order to get a new use approved, where a man made utility would never be an existing condition on an undeveloped site. I think in this case there is the topographical feature where the site sits below the Berlin Turnpike which helps screen the bay doors and in addition to that, we are creating a man made utility which is the berm and the landscaping.

Chris Greenlaw: Mr. Chairman, if I will, and I certainly wasn't here when these regulations were written, but I did have conversations with the Planner. I cannot speak for him, but I would certainly recommend that you carry this public hearing over such that you can hear from your Planner as far as what the interpretation is. Simply as an engineer, if you tell me, if I read this and you were to say there was a topographic feature I would probably ask you that yourself, but if you ask me as an engineer, can you provide a topographic feature to an accurate scale plot this building, I would say yes, but it's for you as a Commission to make that interpretation. Perhaps you can carry this over until Mr. Minor can give you some guidance on that.

Attorney Knuff: We would be happy to hear what Mr. Minor says, but if you look at it from this perspective, to read the regulation as has been suggested, is really no different than asking for a variance, in which case, you wouldn't need this provision, you could just go to ZBA and ask for a variance from this provision. What the suggestion is, is that there is some sort of unusual feature about this property, different from all other properties within the zone, that gives rise to a hardship. Well, that's not what this regulation speaks to, it doesn't speak to a hardship. It speaks to, can you screen them effectively given the particular peculiarities of the site?

Chairman Pruet: We'll be having discussion on our interpretation of the regulations as this continues on. Further Commissioner comments on this?

Commissioner Hall: Just added to what Mr. Greenlaw said as far as getting different reads on that view, I would also like to have it, not just a passenger vehicle, as maybe one in three cars now are passenger vehicles, most are SUV's with a much higher profile, so I would also like to have that taken into consideration. Right now we have a passenger vehicle, and it looks to be twenty-five feet for the sight line, and then the height of the passenger is going to be different for a SUV, or a pick-up even.

Chairman Pruett: This is a public hearing, gentlemen, if you would take a seat, we are going to invite the public up to speak on this. Is there anybody from the public wishing to speak in favor of this petition? Anybody from the public wishing to speak against this petition?

Domenic Pane, 638 Church St, Newington: Thank you Mr. Chairman. As a former Chairman, Vice-Chairman, and member of this Commission in the past for over ten years, I don't ever recall when this Commission has been in litigation with somebody that it has heard an application concerning the same topic. I don't even think this meeting should be taking place, and I want to put that on the record, Mr. Chairman, and I want to thank you and this Commission for your time. Thank you.

Chairman Pruett: Thank you. Further comments from the public speaking against this petition? Please come forward and state your name and address.

Laurie Grabowski: I own 2121 Main Street and 2107 Main Street which are the first two houses on Main Street behind this property. I have a question first about the site, in the fifties, sixties and seventies, it was Reliable Roofing, and there was tar, oil, everything on that land, so was the soil tested? I just want to know before they dig it up. Noise, you are saying that the bays are going to be facing Main Street, which would be facing our property? Am I going to hear air tools running constantly, what are the hours. When Krispy Kreme was there, we were calling the police constantly because of the noise variance, you know, it was noisy before and after, is that going to happen again. The doors, are we going to hear them going up and down, cars going in and out? What are we going to smell, exhaust running all day long? Traffic. There were several accidents just when there was Krispy Kreme exiting onto Main Street there, because it is right across from the assisted living, I don't know what kind of traffic study they did because there were accidents all the time, because I live there, just to let you know. What are we going to be looking at, what is our view going to be? Are we going to have lights shining on us twenty-four hours a day, are we going to look at the trash? Is the trash going to be blowing into the street like before. Now that water where they are dumping, I don't know, the waste I guess, or whatever, we have a well at 2121 Main Street and water runs down hill. What's going to happen, is it going to affect the well? We're not connected to city water there. There is city water, but it's not connected. We have well water. It abuts a residential area, so it should be further away, I don't know. I'm just asking. He said they are going to connect to the sewers on Main Street, we have no sewers on Main Street. We don't have sewers. I'm just telling you. Then he said there is going to be loading and unloading, is it going to be after eight o'clock, is the truck going to run for forty-five minutes to an hour that we have to listen to the diesel running constantly. Is it going to be beep, beep, beep, beep at four o'clock in the morning, is the garbage thing going to slam down, I could hear them ordering doughnuts at Krispy Kreme, so I know that I'm going to hear this. So, those are my comments.

Chairman Pruett: Thank you, I'll make sure they are addressed by the petitioner. Anybody else from the public wishing to speak against this?

Dr. Colleen Bielitz, 2110 Main St: Hello Mr. Chairman, hello everybody, I would just like to reiterate most of the comments that have already been made. Our house, I know you are worried about the berm and the view, but obviously I will have a view of the back of the building, and I don't really want that right there. I like having that protected land and the trees that have been there and you know, the traffic is going to be a huge concern because, I know everybody is talking about the traffic that goes by on the Berlin Turnpike, but this property is at where a stop light is, there's a right hand turn lane off the turnpike right there, you have Lewis Street which then leads to the Price Shopper, then you have the retirement home which is right across the street from there, and then you have one turnoff, that you are saying

that everybody from the Berlin Turnpike is going to come in there, and everybody is going to have to go out that Main Street exit. I mean, that's going to be a nightmare, because my driveway is the next right, right after that exit there. There are numerous accidents, and I would be happy to do a traffic study to see how many accidents there are there because I think that you are asking for a lot of trouble having all of those additional customers coming for this particular place, and again, the wetlands are there, where is the trash going to be? Is it going to be in the back of the building facing where my house looks out. The noise, I can already hear the noise from the construction for the Bonefish Grill. I hear the trucks beeping, backing up. You know what, I'm for the restaurant, that's fine, and urgent care facility, I understand that we need those, I know that helps us be prosperous and I am happy to see my tax dollars go to work for things like this new desk and your fancy new facilities, but I really don't think, with the Modern Tire right down the street, that we need another facility like Firestone to be two blocks down. So that's another concern. Lighting and safety, also is a big concern, and it's true that the police were called many times when the Krispy Kreme doughnuts was there, so having a couple of these parking lots sitting there empty, I think is cause for concern. That's pretty much it, but I will tell you that I am really concerned that if this place is constructed, I mean, I may consider moving out of the township because I really don't think this will be a benefit to Newington. Thank you.

Chairman Pruett: Thank you, Doctor. Anybody else from the public wishing to speak against this petition?

Rose Lyons, 46 Elton Drive: I'm neither in favor nor again, I'm sort of just asking some questions. I'm just wondering if it is the Commission's right to ask the Police Department opinion of the traffic that is going to result from the business being built. As a resident and a consumer, who frequents Price Chopper area, I know now that it's horrendous trying to take a left hand turn, onto Main Street at the peak hours. Traffic is coming off the Berlin Turnpike, by the time you look right, the person from the left is coming. It used to be that it was no left turn at one point, and then the Police Department changed that, I guess based on the fact that Krispy Kreme wasn't there. As far as the Fire Department, have they been consulted as to the way that it is in and out, and is that okay with them, just some questions that I have, perhaps you have those questions as well. As for your new digs, it's old furniture, so you feel better that it is not all new stuff here, and it's much better than it was for everybody. Thank you.

Chairman Pruett: Thank you Mrs. Lyons. Further comments from the public?

Jo Wescott, 2121 Main Street: I'm really concerned more about the back of the building, everyone is concerned about the front of the building, and having the berm so you can't see it from the highway, well, that's my front window. I don't want to see it. All of the traffic exiting out of that area is my front window, all of the lights from those cars are going to be going all night long. You really need another exit on the turnpike, and I just want all that taken into consideration. The families that live there, that's my yard, my home. I don't want traffic, I want the woods and the lights that have always been there. Thank you.

Chairman Pruett: Thank you. Further comments?

Laura Bielitz, 2110 Main Street: Colleen and I live together and our house is the one right at the corner of the back spot of where they are proposing. I just wanted to go on record to make sure that there is another person stating that I do not want Firestone there. I think it would be awful for the traffic, I think the noise would be awful, I don't think we need another auto parts, auto maintenance place on the Berlin Turnpike, we have plenty of selection there,

so really, I just wanted to take a second to go on record stating that that is going to cause more hurt than it would be worth in that spot. Thank you.

Chairman Pruett: Further comments from the public. Seeing none, we have rebuttals now. Rebuttal by the applicant limited to five minutes.

Attorney Knuff: Mr. Chairman, so we can do this most efficiently, if we could have just a few minutes just so that we can confer amongst ourselves and then we can give you a much more efficient and coherent response to each of the items that was brought. I don't know if the Commission wants to take a short.....

Chairman Pruett: We will take a five minutes recess.

Attorney Knuff: I'll be happy to respond to all of the various comments to the extent there is any redundancy in our reply, I apologize and in a few instances, we are going to respond to every comment, in a few instances we're going to recommend that we are going to come back with some other materials to demonstrate to the Commission that there is no basis for concern. So, Mr. Pane had mentioned that this application is being heard while an appeal is pending. Currently the auto related use regulations are the law of the Town of Newington, that case could be dismissed, we don't know what is going to happen, but we certainly have the right to be here before you.

There was a series of comments by a resident on Main Street, there was a question about the soil being cleaned up. The phase one has been done, there are no environmental issues on this property. In terms of noise, there is a considerable amount of noise that takes place now between Main Street and the Berlin Turnpike, but you know, we are required to comply with the town's own noise ordinance, we are required to comply with the state's noise regulations and statutes and we will do so. There won't be any smell associated with this use. In terms of traffic, this is far, far, far less than what was approved for Krispy Kreme. In fact, this is about as innocuous a use when it comes to traffic as you can find. Twenty-nine peak hour trips, I can't think of another use, when you compare the other types of uses that could be on this site, including a drug store, another restaurant, if you were to go through the ITE manual you could find dozens, if not hundreds of uses that would fit on that site, that would generate traffic at a far greater rate than this use would. In terms of lighting, there will be full cutoff fixtures, I think there is a photometrics plan in your plan sets. Nearly all of the parking lot lights will go out when the store is closed, which is at 7:00 p.m., so there won't be lights on twenty-four hours a day, glaring into anyone's windows. In terms of trash, there is a fully enclosed trash enclosure so there won't be any things blowing around. Again, this is not the type of use like a drug store or a fast food store that generates a lot of wrappers or other trash, but to the extent that there is any, it is fully enclosed. So there won't be trash blowing around the site or into the neighbor's properties. In terms of the wetlands, you will receive some storm water from the site. That storm water will have been completely treated. We received approval from your wetland Commission and the fact is, it's rain water. Rain water that has been treated and then dispersed in to the wetland. Again, there is probably far more water coming from Main Street and, than there would be from our wetland. In terms of the question, are there any sewers on Main Street, the sewer does come as far as our property, and then terminates. There was a question of unloading, one truck per week, during store hours, between seven and seven and state regulation provides that no idling is permitted, I think they are allowed to idle for three minutes and then the engine has to shut off. So that is not a concern. There were several people who said that they want to maintain their existing views. Well, this is a commercially zoned site, fact is, if it's not a Firestone it's going to be some other commercial use. In terms of accidents and traffic, there was another comment again, far, far, less traffic than was approved for Krispy Kreme. There were some comments that there was no need for this use because Modern Tire is down the street, clearly that is not

a relevant zoning matter, otherwise we are just going to encourage competitors to keep other competitors out of town through various challenges, so whether there is a need for this is determined by the market and by the public and it's not a relevant consideration for the Commission. In terms of the Police Department opinion, I know that Craig had submitted the plans to Police and Fire and no responses were received, or no comments were offered. Again there was a concern regarding the appearance of the back of the building from Main Street. First of all, in terms of the architecture of the building, the architecture is wrapped around all four sides so it's going to be an attractive building from all perspectives. There is another gray change to the, Main Street, and there is going to be a fence on top of the retaining wall. We are already doing extra cross sections from the Berlin Turnpike, we will do cross sections from Main Street to demonstrate that the residents in the area will see very little of the building, and I think Jason will give you, he will discuss the plan that is on the power point at the moment, when we come back in two weeks, or whenever the next public hearing is, we will provide some other materials, particularly cross sections, demonstrating that there will not be any negative visual impacts on the neighbor from the site. Again, there was a comment that one of the neighbors would prefer to have the woods, again, it's a commercially zoned site that will be developed at some point. So let me have Jason just discuss how this site interacts with the properties on Main Street.

Jason Mikrut: One of the Special Exception criteria that we had to meet with this application was that the property had to be at least 100 feet from any residence or any residential zone. The plan that is up on the screen that you see there, site location plan, shows a heavy dashed line, and that's a 100 foot offset from the property. That's 100 feet from the property and you can see there are dimensions beyond that, to the residential zone and also to the nearest residence. The residential zone I believe is about 119 feet away and then the nearest residence is about 130 feet away. So we are in compliance in terms of the regulations for that separation. Additionally, most of the area in between there is wooded, and we will not be touching that area as part of this Firestone application. So, we will demonstrate with the cross sections, the views that you will see from that area, but we feel that it really will not be very visible from those residences.

Attorney Knuff: And in addition to those cross sections, we will bring in an aerial photograph that depicts where those trees are, and what trees will remain to help satisfy the concerns.

Chairman Pruet: Very good. Okay, thank you, now we have rebuttal by the opposition. Come forward and again state your name and address for the record please.

Dr. Colleen Bielitz: I would like to say in rebuttal in regards to the traffic, that's true that Firestone may not have as much traffic as the Krispy Kreme that was originally there, but it's not just a Krispy Kreme that is there. It's now a Bonefish Grill, an Urgent Care Facility, and a Firestone, so there are three businesses where there used to be one, and the other thing that I'd like to say, in regards to the trash, it's not just paper products from a fast food restaurant, we're looking at oils, gas, metal shavings, and other toxic materials and I'm not sure what the local and state noise ordinances are, but being that my house is probably the one 130 feet away from this, I'd like to know what that is. I would like to know what the noise ordinance is, and what the noise is in regards to power tools that will be used, because I know that they make a lot of noise, those hydraulic machinery that they use in these types of industries, so I'd like to know what the decibel levels are for those types of businesses and I'd like to know what the local and state ordinance for noise is, as well. Thank you.

Chairman Pruet: Thank you. We will make sure that that information is provided for you, on the decibel levels, I don't think we have it at our disposal tonight, but if I can get you address too, in case you don't come to the next meeting, I'll make sure you get that information, if you

can give me that before you leave, I'd appreciate it. The next meeting for this petition will be held open, but I'll make sure you get that response.

Rose Lyons, 46 Elton Drive: With regard to the Fire Department and the Police Department having no comments, I'd like clarification on whether they responded or did not respond. If they responded and had no objection, that's one thing, if they had no comment, I don't know if that means that they don't object or they just didn't look at the request, or felt that they did not need to reply. Thank you.

Chairman Pruet: I can answer that. They reviewed it, and they had no concerns with what was presented. The Fire Marshal stated that the equipment can safely go in and go out, and Chief Mulhall, his deputy had no adverse comments on what was presented.

Domenic Pane, 638 Church St.: I'd like to bring it to the Commission's attention that prior to 2007 there was an auto use, I believe an Express Lube, that came in next to Bertucci's and this Commission denied it because of garage doors facing the Berlin Turnpike, so I would like that noted on the record. I would also like the applicant to explain to me how the 18 wheeler is going to pull in, and if the 18 wheeler is in a designated roadway, or does the 18 wheeler have to pull into parking spaces to back up into the space, or is he in a designated roadway. If it's, if he's going through parking spaces, it's a pot luck if there are going to be cars parked there, and the Commission has never done that before. At this time, I'll reserve any other comments on the site plan, and I'd like to request a site plan to take home please. Thank you.

Chairman Pruet: You're welcome. The applicant can respond to that or do you want to wait....

Attorney Knuff: Probably both Mr. Chairman. Very quickly, just regarding the traffic and combination of uses, as Jason indicated and as pointed out in our traffic report, these uses dovetail very nicely. When Firestone is open, Bonefish will not be open and the converse is true. So while, and again, the combination of uses is far less than Krispy Kreme generated on its own, but there will be a very rare instance, maybe late on a, between six and seven, where both uses will be operating at the same time. That certainly is not a peak hour for Firestone, so the peak hours will never overlap between those various uses. In terms of the concern that there will be some sort of hazardous substances generated by the sites, all those things had to be manifested and carted off in a very safe manner and we can provide the regulations that govern the removal of oils and other substances. We will provide specifics on the noise and we can also provide a truck turning template to demonstrate how the truck turns in. I don't think, I think we're over parked as it is, I don't think it's an issue to the extent that any spaces are blocked, it would be for a short time, one time a week, so we look forward to being before the Commission again and providing responses to the questions.

Chairman Pruet: Thank you. We are going to keep this petition open because of the unanswered questions, and it's an important petition and we want all our concerns addressed.

III. **PUBLIC PARTICIPATION** (For items not listed on the Agenda; each speaker limited to two minutes.

None.

IV. REMARKS BY COMMISSIONERS

V. **MINUTES**

Commissioner Sobieski moved to accept the minutes of the January 23, 2013 Regular Meeting. The motion was seconded by Commissioner Camillo. The vote was unanimously in favor of the motion, with six voting YES.

VI. **NEW BUSINESS**

- A. **Petition 39-12** Site Plan Approval (Firestone Complete Auto Care) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner, Bismarck Real Estate Partners, Inc., applicant; Jason Mikrut P.E. 54 Tuttle Place, Middletown, CT contact person.
- B. **Petition 40-12**: DMV Location Approval (Firestone Complete Auto Care) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner; Bismarck Real Estate Partners Inc., applicant; Jason Mikrut P.E. 54 Tuttle Place, Middletown, CT, contact person.

Discussed Under Public Hearing

VII. **OLD BUSINESS**

Commissioner Camerota: I move that Petition 02-13 Special Exception Health Club, 3153 Berlin Turnpike, McBride Properties, owner; Oana Nita, 55 Highgate Road Apt. B5, Newington CT applicant/contact person be moved to Old Business for the purpose of acting on it tonight, and also Petition 03-13 Special Exception Section 3.15.6 Health Club at 193 Pascone Place Frederick and Barbara Alciati, owner; Bionic Athletics Inc., applicant; Michael T. Jordan, 40 Hillside Road, Kensington, CT, contact person to be moved to Old Business for the purpose of acting on it tonight.

The motion was seconded by Commissioner Anest. The vote was unanimously in favor of the motion with six voting YES.

**Petition 02-13**  
**3153 Berlin Turnpike**  
**Special Exception Section 3.15.6 (Health Club) for "Lady Fit Studio"**

Commissioner Camillo moved that Petition 02-13; Special Exception Section 3.15.6; Health Club at 3153 Berlin Turnpike McBride Properties, owner; Oana Nita, 55 Highgate Road Apt B5 Newington, CT applicant/contact person be approved.

**Staff Comments**

None

**Findings:**

The amount of existing on-site parking is sufficient for this activity



**Conditions:**

None

The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YES.

**Petition 03-13**  
**193 Pascone Place**  
**Special Exception Section 3.15.6**  
**“Bionic Athletics Inc” , applicant**

Commissioner Sobieski moved that Petition 03-13; Special Exception (Section 3.15.6; Health Club) at 193 Pascone Place, Frederick and Barbara Alciati, owner; Bionic Athletics Inc., applicant, Michael T. Jordan, 40 Hillside Road, Kensington CT contact person be approved.

**Staff Comments:**

None

**Findings:**

The amount of existing on-site parking is sufficient for this activity.

**Condition:**

None

The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with six voting YES.

VIII. **PETITIONS FOR PUBLIC HEARING SCHEDULING** (February 27 and March 13)

- A. Petition 05-13: Special Exception (Section 3.17.8; Motor Vehicle Service Use) at 476 Fenn Road. Khalid Mahmood, 153 Mansion Road, Cheshire, CT 06410, owner/applicant/contact.
- B. Petition 06-13: Special Exception (Section 3.15.3: Outside Restaurant Seating) at 3260 Berlin Turnpike (“Plaza Azteca Restaurant”) Hector Angel, owner; Manuel Rubio, applicant/contact.
- C. Petition 07-13 Special Exception (Section 3.15.3: Outside Restaurant Seating) at 3384 Berlin Turnpike, 2601 Berlin Turnpike, and 548 Cedar Street (Dunkin Donuts) Cary Gagnon, owner/applicant; Anja Skehan, 66 Cedar Street #300B Newington, CT, contact.

Chairman Pruett: The first petition is the gas station across from Eagle Drive, that area in there, been vacant for I'd say fifteen to twenty years, so that is the first petition. Second one, Petition 06-13, self explanatory. Petition 07-13, Outside Restaurant seating, that for outside seating at Dunkin Donuts. And last, what's not on there, has just been submitted will be Petition 08-13, Free Standing Business Sign at the Farmington Bank at

1095 Main Street. So, as a Commission do you think we can accommodate these petitions at our next meeting.

Commissioner Aieta: You have this one here to contend with again, so that is still on the agenda.

Chairman Pruet: Yes it is, my personal opinion, I think we could handle it.

Commissioner Anest: They should go fast.

Chairman Pruet: Okay, Chris, if you will note that we will hear those, and if you would notify Cindy, if she can get the information out, she knows what to do. She has to submit to surrounding abutters, put it in the paper, she knows what to do.

## **IX. TOWN PLANNER REPORT**

Chairman Pruet: I'm going to give you a copy of my remarks from Mr. Minor. I'll read them for the public and the TV audience. Again, our Planner is on vacation, the poor guy is in Hawaii, and we're stuck here with 36 inches of snow. He mailed me that he got out, it was only a 12 hour delay from Kennedy.

Okay, Number One: Zoning Enforcement Issues raised at our previous TPZ meetings; Façade changes at CVS Main Street. CVS has directed their permits consultant to submit a request to revise the original special exception which as you know was granted based on design of the building. Has not yet been submitted, so we did contact them, we've put the onus on them to defend their position.

Possible change to parking lot at 1095 Main Street; that's Dunkin Donuts and Farmington Bank. I sent an e-mail to the applicant's architect asking them to consider making the changes discussed at the last TPZ meeting and it is pending a response.

Format of the Zoning Enforcement Officer reports: I had asked the IT department to help me develop a new format for the ZEO monthly reports, I understand that it has been completed, they are going to experiment with it and get back to us.

Old Performance Bonds Held by the Town: Nothing new to report. I'm spending roughly two hours a week going through the list of outstanding bonds, updating it, I know that he did complete two of them, and he will discuss it at our next meeting.

Status of Modern Tire Appeal by the Motor Vehicle Zoning Amendment: The persons filing the suit had submitted their briefs.

Status of Newington Walk subdivision-Toll Brothers: Nothing new to report. This is on hold pending the decision of the Conservation Commission Application which I anticipate taking place some time in February. I do get copies of their minutes, they are about forty to fifty pages long, I do read them, and I tip my hat to the Attorney, Mr. Greenlaw, and to the Commissioners on there, they are doing a yeoman's work trying to come up with a fair decision, which is best for the Town of Newington.

Chris Greenlaw: Mr. Chair, I want to thank you for sharing Norine to help complete those minutes.

Chairman Pruet: I did congratulate Norine for doing yeoman's work, in her capacity, I don't know what her home life is lately, but.... Last one, number five, Newington Junction Planning Study. The first meeting with the consultants has been scheduled for Friday January 25, Room 101. Cathy, anything you would like to....

Commissioner Hall: It was just a parameter setting type meeting, and the leader from Plainville has been very, very helpful and will guide us, hopefully, for most of our meetings. Just waiting to hear when we are going to be meeting again.

Chairman Pruet: Low impact development regulations project, the steering committee had its first meeting on January 11<sup>th</sup>, the goals of the project were discussed and the draft RFQ for consultant was approved, and the last one, possible incentive for housing zone technical assistance grant, see attached memo in your minutes.  
Carol, anything you would like to say about the signage meeting we had, which I missed.

Commissioner Anest: Well, we met, I think January 23<sup>rd</sup>, we came up with some parameters and we are going to meet again February 27<sup>th</sup>, to go over any ideas that we had talked about. Craig is putting some together and we'll be talking about those.

**X. COMMUNICATIONS**

None

**XI. PUBLIC PARTICIPATION**

None

**XIII. REMARKS BY COMMISSIONERS**

None

**XIV. CLOSING REMARKS BY THE CHAIRMAN**

Chairman Pruet: I want to say that I want to thank the Commission for volunteering their time. They do a good job, I want to thank Mr. Greenlaw for coming tonight. He went out of his way to meet with me, and make sure that what we presented tonight was reviewed by Town Staff in lieu of our Planner's absence. Again, I'd like to thank the public for coming and participating, we always appreciate it.

**XIV. ADJOURNMENT**

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Camerota. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary

